

**ENTERED**

January 28, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

AMERICAN CONTRACTORS	§	
INDEMNITY COMPANY DBA	§	
TEXAS BONDING COMPANY,	§	
	§	
VS.	§	CIVIL ACTION NO. 3:19-CV-00399
	§	
TRI COASTAL COMMUNITY	§	
DEVELOPMENT, ET AL.	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On January 6, 2021, Plaintiff's Motion for Summary Judgment and Memorandum in Support (Dkt. 23) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(B). Dkt. 28. On January 12, 2021, Judge Edison filed a memorandum and recommendation (Dkt. 29) recommending that the motion be granted, and a final judgment entered against Defendant Sherwin Tongee.


No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 29) is approved and adopted in its entirety as the holding of the court;
- (2) Plaintiff's Motion for Summary Judgment and Memorandum in Support (Dkt. 23) is granted; and

- (3) A final judgment will be separately entered against Sherwin Tongee in the amount of \$113,236.29, together with post-judgment interest at the legal rate.

Signed on Galveston Island this 28th day of January 2021.

  
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JEFFREY VINCENT BROWN  
UNITED STATES DISTRICT JUDGE